

111TH CONGRESS  
2D SESSION

# H. R. 5731

To amend title 38, United States Code, to provide for annual reviews of mental health professionals treating veterans, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 14, 2010

Mrs. KIRKPATRICK of Arizona introduced the following bill; which was referred to the Committee on Veterans' Affairs

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## A BILL

To amend title 38, United States Code, to provide for annual reviews of mental health professionals treating veterans, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Veterans Mental  
5       Health Professionals Oversight Act of 2010”.

6       **SEC. 2. REVIEW OF MENTAL HEALTH PROFESSIONALS OF**  
7                               **THE DEPARTMENT OF VETERANS AFFAIRS.**

8       (a) IN GENERAL.—

1           (1) REVIEW.—Subchapter II of chapter 73 of  
2           title 38, United States Code, is amended by adding  
3           at the end the following new section:

4   **“§ 7330B. Review of mental health professionals**

5           “(a) REVIEW.—Not later than January 1 of each  
6   year, the Inspector General of the Department of Veterans  
7   Affairs shall conduct a review of mental health profes-  
8   sionals employed by the Veterans Health Administration  
9   during the preceding fiscal year.

10          “(b) REPORT.—Not later than 90 days after the date  
11   on which the review under subsection (a) is completed, the  
12   Inspector General shall submit to the Committee on Vet-  
13   erans’ Affairs of the House of Representatives, the Com-  
14   mittee on Veterans’ Affairs of the Senate, and the Advi-  
15   sory Committee on Veterans with Psychological and Men-  
16   tal Health Needs under section 547 of this title a report  
17   on such review.

18          “(c) CONTENTS.—With respect to each covered facil-  
19   ity in each geographic service area of the Veterans Health  
20   Administration, the report shall include the following:

21               “(1) The number of full-time psychiatrists and  
22               psychologists employed during the preceding fiscal  
23               year.

1           “(2) The number of part-time (or part-time  
2           equivalent) psychiatrists and psychologists employed  
3           during the preceding fiscal year.

4           “(3) The number of mental health nursing staff  
5           employed during the preceding fiscal year.

6           “(4) The number of certified social workers as-  
7           signed to mental health programs during the pre-  
8           ceding fiscal year.

9           “(5) The number of other direct-care mental  
10          health staff, including counselors and outreach work-  
11          ers, employed during the preceding fiscal year.

12          “(6) The number of administrative and support  
13          staff assigned to mental health programs during the  
14          preceding fiscal year.

15          “(7) The number of full-time direct-care em-  
16          ployees for all programs of the Veterans Health Ad-  
17          ministration.

18          “(8) The number of unfilled vacancies for men-  
19          tal health positions that have been authorized for  
20          each geographic service area (including the number  
21          of positions per each covered facility) and the aver-  
22          age length of time such positions remain unfilled.

23          “(d) DEFINITION.—In this section, the term ‘covered  
24          facility’ includes each medical center, facility, and commu-

1 nity-based outpatient clinic of the Veterans Health Admin-  
 2 istration.”.

3 (2) CLERICAL AMENDMENT.—The table of sec-  
 4 tions at the beginning of chapter 73 is amended by  
 5 inserting after the item relating to section 7330A  
 6 the following new item:

“7330B. Review of mental health professionals”.

7 (b) REPORT.—Not later than October 1, 2011, the  
 8 Inspector General of the Department of Veterans Affairs  
 9 shall submit to the Committee on Veterans’ Affairs of the  
 10 House of Representatives, the Committee on Veterans’ Af-  
 11 fairs of the Senate, and the Advisory Committee on Vet-  
 12 erans with Psychological and Mental Health Needs under  
 13 section 547 of title 38, United States Code, as added by  
 14 section 3 of this Act, a report under section 7330B of such  
 15 title, as added by subsection (a) of this section, with re-  
 16 spect to each of fiscal years 2004 through 2009.

17 **SEC. 3. ADVISORY COMMITTEE ON VETERANS WITH PSY-**  
 18 **CHOLOGICAL AND MENTAL HEALTH NEEDS.**

19 (a) IN GENERAL.—Subchapter III of chapter 5 of  
 20 title 38, United States Code, is amended by adding at the  
 21 end the following:

22 **“§ 547. Advisory committee on veterans with psycho-**  
 23 **logical and mental health needs**

24 “(a) ESTABLISHMENT.—The Secretary shall estab-  
 25 lish an advisory committee to be known as the Advisory

1 Committee on Veterans with Psychological and Mental  
2 Health Needs (in this section referred to as the ‘Com-  
3 mittee’).

4 “(b) MEMBERSHIP.—The Committee shall consist of  
5 members appointed by the Secretary, including—

6 “(1) mental health practitioners of the Depart-  
7 ment;

8 “(2) veterans;

9 “(3) individuals representing veteran service or-  
10 ganizations; and

11 “(4) individuals representing other organiza-  
12 tions related to mental health or veterans.

13 “(c) RESPONSIBILITIES OF COMMITTEE.—(1) The  
14 Secretary shall, on a regular basis, consult with and seek  
15 the advice of the Committee with respect to the provision  
16 of mental health care to veterans.

17 “(2) In addition to providing advice under paragraph  
18 (1), the Committee shall—

19 “(A) analyze data contained in the reports sub-  
20 mitted under section 7330B of this title; and

21 “(B) collect information related to the provision  
22 of mental health treatment to veterans by the De-  
23 partment, including by visiting medical facilities of  
24 the Department from time to time.

“547. Advisory committee on veterans with psychological and mental health needs.”

Not later than 90 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the Committee on Veterans' Affairs of the House of Representatives and the Committee on Veterans' Affairs of the Senate a report on chronic mental health conditions. The report shall include the following:

(2) The anticipated needs of veterans of Operation Enduring Freedom and Operation Iraqi Freedom with respect to the treatment of chronic mental health conditions.

1           (3) With respect to treating the veterans de-  
2       scribed in paragraph (2), the anticipated needs of  
3       the Department of Veterans Affairs related to—

4                   (A) the number (by type) of staff of the  
5       Veterans Health Administration;

6                   (B) the number (by type) of facilities of  
7       the Veterans Health Administration;

8                   (C) the equipment and other resources  
9       used in such treatment; and

10                  (D) the amount of funding required by the  
11       Secretary.

12           (4) The optimal panel size of patients for men-  
13       tal health professionals treating the veterans de-  
14       scribed in paragraphs (1) and (2).

15 **SEC. 5. STUDY ON SUBSTANCE-USE DISORDERS AND REHA-**  
16 **BILITATION.**

17       (a) STUDY.—The Secretary of Veterans Affairs shall  
18       conduct a study of substance-use disorders among vet-  
19       erans. Such study shall include—

20                  (1) the barriers to rehabilitation and treatment  
21       of such substance-use disorders;

22                  (2) the effect early intervention services have on  
23       treating substance-use disorders;

1           (3) the effect counseling, including couples and  
 2           family counseling, has on treating substance-use dis-  
 3           orders; and

4           (4) developing programs to combat any stigmas  
 5           related to treating substance-use disorders that pre-  
 6           vent veterans from seeking such treatment.

7           (b) REPORT.—Not later than one year after the date  
 8           of the enactment of this Act, the Secretary shall submit  
 9           to the Committee on Veterans’ Affairs of the House of  
 10          Representatives and the Committee on Veterans’ Affairs  
 11          of the Senate a report on the study required by subsection  
 12          (a).

13   **SEC. 6. COMPTROLLER GENERAL REPORTS ON MENTAL**  
 14           **HEALTH PROGRAMS.**

15          (a) MHSP AND UMHS.—

16           (1) IN GENERAL.—Not later than one year  
 17           after the date of the enactment of this Act, the  
 18           Comptroller General of the United States shall con-  
 19           duct a study to assess—

20                   (A) the progress of the Secretary of Vet-  
 21                   erans Affairs in implementing the Mental  
 22                   Health Strategic Plan of the Veterans Health  
 23                   Administration of the Department of Veterans  
 24                   Affairs (published November 2004); and



1 (B) the status of the Uniform Mental  
2 Health Services handbook of the Veterans  
3 Health Administration (Veterans Health Ad-  
4 ministration handbook 1160.01, published Sep-  
5 tember 11, 2008) at the end of fiscal year  
6 2010.

7 (2) REPORT.—Not later than 30 days after the  
8 study under paragraph (1) is completed, the Comp-  
9 troller General shall submit to the Committee on  
10 Veterans' Affairs of the House of Representatives,  
11 the Committee on Veterans' Affairs of the Senate,  
12 and the Secretary of Veterans Affairs a report on  
13 the study, including the number of full-time mental  
14 health professionals the Comptroller General deter-  
15 mines necessary to implement the Mental Health  
16 Strategic Plan and the Uniform Mental Health Serv-  
17 ices handbook.

18 (b) VERA SYSTEM.—Not later than one year after  
19 the date of the enactment of this Act, the Comptroller  
20 General shall submit to the Committee on Veterans' Af-  
21 fairs of the House of Representatives, the Committee on  
22 Veterans' Affairs of the Senate, and the Secretary of Vet-  
23 erans Affairs a report on any modifications to the Vet-  
24 erans' Equitable Resource Allocation system of the Vet-  
25 erans Health Administration that the Comptroller General

- 1 determines necessary for the Secretary of Veterans Affairs
- 2 to meet the mental health needs of veterans.

